



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

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GOVERNOR

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**North Carolina Board of Transportation
Environmental Planning and Policy Committee
Meeting Minutes for January 8, 2003**

A meeting of the Environmental Planning and Policy Committee (EPPC) was held on January 8, 2003 at 8:00 AM in the Board Room (Room 150) of the Transportation Building. Nina Szlosberg chaired the meeting. Other Board of Transportation members that attended were:

Conrad Burrell	Frank Johnson
Marion Cowell	Cam McRae
Nancy Dunn	Nina Szlosberg
Doug Galyon	Alan Thornburg
Clark Jenkins	Lanny Wilson

Other attendees included:

Adrian Blackwell	Neil Lassiter	Allen Pope
Donnie Brew	Fred Lamar	Bill Rosser
Mike Cowan	Emily Lawton	Roger Sheats
Craig Deal	Don Lee	Roy Shelton
Janet D'Ignazio	Sharon Lipscomb	Caroline Swain
Carl Goode	Grady McCallie	Jay Swain
Gail Grimes	Carl McCann	Charles Tomlinson
Mike Holder	Ehren Meister	Frank Vick
Julie Hunkins	Anne Morris	Don Voelker
David Hyder	Jon Nance	Ron Watson
Pat Ivey	Sandy Nance	Marcus Wilner
Berry Jenkins	Ken Pace	

Ms. Szlosberg called the meeting to order. The meeting minutes were approved as presented. The motion was made by Mr. Wilson and seconded by Mr. McRae.

Ms. Szlosberg introduced Roger Sheats, Deputy Secretary for Environment, Planning and Local Government Affairs, to introduce the first agenda item on public involvement. She reiterated his experience with public involvement and human environmental aspects prior to his appointment with NCDOT. Mr. Sheats began by discussing the importance of public involvement in transportation projects and referenced some of the key improvements that have been made since the start of Secretary Tippet's administration. Mr. Sheats also pointed

out the leadership that Carl Goode, Manager of NCDOT's Office of Human Environment, has displayed with regard to the department's public involvement efforts. He further emphasized that public involvement is quickly becoming an important realm of everyone's lives.

Mr. Sheats introduced Carl Goode, to discuss the department's role in public involvement. Mr. Goode noted that public involvement is not simply going out and holding a meeting. Public meetings are one component, but much more is needed. It's digging into what people really want and finding out what they think. It's important to remember that the public is paying for the projects and their development.

Mr. Goode submitted the first report for revamping the DOT's public involvement aspects in June of 1990; many of the recommendations still have not been implemented. However, some incremental steps have been made since the first report. It's a big program and will involve everyone along the way. The subtle things are what take time to learn and adjust. For example, when to begin meetings and when to wear a suit or to dress casual. All of these subtle things make a difference. Mr. Goode elaborated on several examples from his experience conducting public involvement meetings for the department. All of these aspects interrelate and play a crucial role with how we deal with our constituents. Currently the Department is trying to begin the public involvement process a lot earlier with community impact assessments. Mr. Goode applauded the efforts of Secretary Tippet and Mr. Sheats with their support and resources for the public involvement programs. Further, he thanks Ms. Szlosberg and the Board for addressing the issue of public involvement and hopes they will continue to note its importance.

Mr. Goode introduced the next presenter, Anne Morris, Senior Project Manager with PBS & J, to discuss Public Involvement Challenges: Reaching the Whole Public. Ms. Morris has an extensive background with public involvement and human environment issues and has recently worked with NCDOT on the US-17 project in Onslow and Jones County.

Ms. Morris began her remarks by thanking Gail Grimes, Assistant Branch Manager for PDEA, for her courage, dedication and leadership with the US-17 project.

The public is often thought as someone else -- a group of individuals that are in another corner or someone other than us. The "public" is typically thought of as being the same, which is really not true. Ms. Morris' presentation is largely based on the community impact assessment of the US-17 project. Five years into the US-17 project, NCDOT asked for an impact assessment on five minority communities involved in the study area. The project limits were also extended to include other towns along the corridor, such as Pollocksville and Maysville. The presentation highlighted some of the aspects of how the project dealt with low income and minority communities. President Clinton's Executive Order 12898 on environmental justice was a key aspect involved with this project, which states that you cannot have a disproportionately high and adverse impact on low income and minority populations. This is also stated in the Civil Rights Act and the Stafford Act. Some of the diverse segments of the public, including those noted in law are:

- Upper-income, middle-income and low-income
- Non-minority and minority
- Young, middle-aged and elderly
- Educated and uneducated
- Transportation independent and dependent

- 1st shift and 2nd/3rd shift workers
- English speaking and non-English speaking

These are typically known as environmental justice (EJ) populations. The typical techniques used today with public involvement work for a majority of the population but only 75 to 80 percent of the population. These techniques do not typically work well for low income and minority populations. The concern is by not providing meaningful access to information that there's a tendency that these populations will not know about the project or will learn about it late into the process. This is when lawsuits can be introduced. Some of the mechanisms for transmitting information are websites, newspapers and newsletters. However, websites assume access to a computer, websites and newspapers assume a disposable income and websites, and newspapers and newsletters assume the ability to read and speak English. In addition, information will eventually need to also be in Spanish because of the dramatically increasing Hispanic population in North Carolina.

The level of illiteracy in some of the lower income areas can be unassuming. Therefore, it's important to incorporate sensitivity with communities that are more prone to illiteracy. Don't assume a person will be comfortable with "signing in" on an attendance sheet or providing written comments at the meeting. Information should be requested by telephone, fax, e-mail or mail and it may be necessary to set up a 1-800 number to provide access to individuals that can't read or write. Many in the EJ populations don't have access to fax or e-mail and it becomes easy to intimidate. It is important to understand what people have to say.

It is also important to think about when public meetings are scheduled. Many meetings are typically held during the week and at night. The following should be considered when trying to reach these populations:

- Many in the EJ populations work two jobs or work 2nd/3rd shift jobs
- Many in the EJ populations are single mothers with several children who would need child care
- Many in the EJ populations do not have access to transportation
- Many may be elderly and don't go out after dark

The locations of the meetings are also important. Often meetings are held in locations that are inaccessible or unsafe for EJ populations. The meeting location may be in different neighborhoods and may be an uncomfortable area for some. The meeting location may also not be near the neighborhoods effected. It's important to be familiar with the history of the neighborhood when scheduling meetings so you are familiar with local culture.

How do you locate the environmental justice populations? It's difficult to just look at someone to determine if they're a typical EJ population. The best ways to locate EJ populations include the following:

- Utilize the US Census and any local demographic information, such as local school information and reduced lunch programs
- Contact county agencies that administer federal income sensitive programs
- Talk to school officials and ministers

Some other sources include the State Library of North Carolina, Mobile Home Directories, the yellow pages and the local phone book. There are also numerous Internet sources that can assist in locating EJ populations. When identifying low-income sensitive areas it is important to look at federal programs, such as free and reduced price meals, Section 8 housing and food stamp information.

Why should these three programs to identify EJ populations? First, the Department of Health and Human Services definition of “low-income” is the threshold of eligibility. Second, the participants are reevaluated on a frequent basis (real-time information), unlike the U.S. Census data. Finally, the boundaries of the programs can be smaller than census designations (important in rural areas).

Specifically, the free and reduced price meals program provides detailed information that’s current as of August of each school year and information that is restricted to a specific boundary. The information that can be attained provides:

- School name, address, phone
- Number of students by grade
- Enrollment by race and ethnicity
- Students eligible for free lunch
- Students eligible for reduced price lunch

The data that can be attained through the Section 8 housing information provides:

- Public housing authority name
- Property name
- Address
- Telephone number
- Fax number
- Bedroom
- Type of unit (section 8, low-income or both)

The information that can be attained through food stamps provides:

- Grocery store name and address, if applicable
- Date of electronic benefits transfer
- Hours that most recipients shop

Ms. Morris noted that it’s important to utilize all of this information when soliciting input from a community. An example would be finding out when food stamps are most commonly used at a grocery store and getting permission to set up a table at the entrance of the store to ask questions and interview shoppers about a transportation project. Another example could be discovering where the public housing is located and personally interviewing several residents. It’s important to utilize innovative techniques and to bring the system to the people -- find that safe place where they’ll feel comfortable. An important aspect of gathering information is to interview the neighborhood elders. A great deal of information on history and culture of a community can be obtained by casually talking to the elderly within a neighborhood.

Some of the non-traditional techniques that can be utilized include creating an interview form and going out to physically meet the public. Common means used in the US-17 project included meeting constituents on their front porches, at their roadside stands, in their living rooms, in their gardens, in their churches, in grocery stores, putting newsletters in their grocery bags, meeting them at PTO/PTA meetings, meeting them on Election Day, meeting them in local restaurants, meeting them in the classroom, and creating the “Where Do Roads Come From?” program.

The “Where Do Roads Come From?” program involved several objectives including an explanation about all of the different professions involved with a transportation project and an explanation about all of the different impacts that are involved with a project. Another key aspect that was utilized with this program, and proved to be very beneficial, was sending information home through a weekly reader at the 4th/5th-grade level so that the student could read it to the parents who may not be able to read or understand English. Further, a very basic survey was sent home so that each student could administer it to his or her parents to find out what day of the week, hour of the day/night and where would be a convenient place to meet. As part of this new program, sets of bookmarks were created in partnership with FHWA, NCDOT, NCDPI, USFWS, SHPO and USACE. The bookmarks conveyed educational tidbits of environmental information that could be handed out to students and parents. The subtle goal of this program is to raise a whole generation of kids that are knowledgeable about the environment. This program had great success on the US-17 project and has become nationally recognized.

Clark Jenkins asked if some bookmarks had been created that emphasize the importance of economic development and the transportation infrastructure. Ms. Morris noted that since this was done for an environmental project, most of the bookmarks were associated with the environment and wildlife. She added that the program could easily be adapted and changed to emphasize and educate about economic development issues. Ms. Morris stated that everything is in draft form and nothing has been completed. Mr. Jenkins added that in fairness, it’s his hope that economic development would be considered since it plays a vital role in rural North Carolina and in such towns as Pollocksville. Cam McRae asked if the purpose of this program is to inform the public. Ms. Morris noted that it’s not only to inform the population but to collect information as well. She stated that we’re not doing projects to the people but for the people, whether they live in the community or if they’re transporting goods in trucks through the community. Mr. McRae asked if Ms. Morris considers it her job to expedite the project delivery process. Ms. Morris responded that the important aspect is to generally find out more about the community and to look at all transportation aspects for that community, including the burden that may occur. Mr. McRae asked whether Ms. Morris lobbies to the communities on behalf of the DOT. Ms. Morris replied “yes” and said that she goes in to explain and justify the project to the public, as well as gather information about the community.

Mr. McRae gave an example about how essential projects can be extended for years for any number of reasons. Mr. McRae stated that understands that there is a combination of things that create delays, but noted that environmental justice is one of the avenues that is used in these sensitive cases. Ms. Morris mentioned a case where there were some trade-offs for certain community enhancements and that is is not uncommon for the consultant to bring back recommendations for enhancements to the DOT where enhancements may create a more project that is supported by the community. Mr. McRae asked what the status of the mentioned project is. Ms. Morris replied that as far as she knows, it’s still in the documentation stage and has been worked on by Wilber Smith Associates for approximately 5 to 6 years. Mr. Jenkins asked what the consultant has been paid and what their incentive is to complete the project. Gail Grimes replied that she would have to look it up and added that their incentive is our incentive -- to get the project completed.

Mr. McRae asked who usually files the lawsuits in these cases involving community impacts. Ms. Morris said it can be a law firm, an agency, a community or anyone. Nancy Dunn noted that it’s more than a process issue and that legal action can be easily taken if the process isn’t given adequate time and thoroughness. All it takes is the DOT doing their homework to help alleviate the timeliness and monetary issues involved when legal action is taken. Public involvement will only enhance the process rather than slow it down. Mr. Jenkins noted the

enormity of the lawsuit in Forsyth County and his experience with public involvement is that local leaders can have an impact greater than a special interest group when they're brought into the loop and educated earlier in the process. He asked Ms. Dunn whether she thought including local leaders earlier in the process could have helped alleviate the issues later in the Fortysth County project. Ms. Dunn noted that the leaders were involved in the process but that the lawsuit was filed by those that didn't have a direct relationship with the county leadership. She noted that all it takes is one person to take legal action. Ms. Morris suggested that public involvement be separate from other studies involved in the projects.

Marion Cowell asked for follow up to the prior comment about the relationship between NCDOT and the USACE. Ms. Morris stated that it's a very contentious relationship. Mr. McRae added that he believes the USACE is stricter in North Carolina than other states.

In closing, Ms. Morris noted that using non-traditional techniques should reduce or eliminate potential EJ and Title VI issues. By using these techniques, the transportation agency can develop relationships with community members, ensure opportunities exist for the public to participate, provide historic background information about the community, eliminate or reduce environmental justice issues and create a project that reflects and incorporates the desires and concerns of the public we serve.

Ms. Dunn added that a lot of issues have been brought to the table today that needs to be addressed at a later time. Such issues include how we are using our consultants for community impact assessment and the DOT's relationship with other agencies. Mr. Sheats agreed and noted that this presentation is represents only one aspect of many solutions that can be used to deliver projects that better meet the needs of the communities that the transportation projects are intended to serve. He added that this is one of the numerous complex issues involved in some of our transportation projects.

Ms. Szlosberg thanked the presenters and accepted a motion to adjourn the meeting at 9:02 AM.

The next meeting for the Environmental Planning and Policy Committee is scheduled for Wednesday, February 5, 2002 at 8:00 AM in the Board Room (Room 150) of the Transportation Building.

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